



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John P. Atkinson, Dennis Hourcade and Malgorzata Krych

Serial No.: 08/126,505 Art Unit: 1647

Filed: September 24, 1993 Examiner: G. Kunz

For: *MODIFIED CRI ANALOGUES*

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.182 TO WITHDRAW  
A PREVIOUSLY FILED TERMINAL DISCLAIMER**

Sir:

Applicants hereby petition to withdraw a previously filed Terminal Disclaimer.

Submitted with this Petition is the required fee of \$130.00, copies of the Office Action mailed September 16, 1996, the Terminal Disclaimer filed December 13, 1996 and the claims of U.S. Patent No. 5,545,619.

It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-1868.

02/10/2004 SSESHE1 00000028 08126505

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130.00 0P

WU 101 CIP  
078243/00011

U.S.S.N. 08/126,505

Filed: September 24, 1993

**PETITION UNDER 37 C.F.R. 1.182 TO WITHDRAW A TERMINAL DISCLAIMER**

**Remarks**

Applicants hereby petition to withdraw a previously filed Terminal Disclaimer. Claim 9 was rejected in the Office Action mailed September 16, 1996, for non-statutory double patenting over claim 10 in U.S. Patent 5,545,619. A copy of this Office Action and the claims from U.S. Patent 5,545,619 are appended for convenience. Applicant's response dated December 13, 1996 included a terminal disclaimer to obviate this double patenting rejection. A copy of this Terminal Disclaimer is also appended for convenience.

Applicant's respectfully request withdrawal of the terminal disclaimer filed in the response dated December 13, 1996 in favor of cancellation of claim 9. An amendment has been concurrently filed with this petition to cancel claim 9. Cancellation of claim 9 would remove any double patenting issues.

**CLAIM CANCELLATION MAY OBVIATE A DOUBLE PATENTING REJECTION**

Although the present rejection was for *non-statutory* double patenting, the MPEP provides for cancellation of claims as a means for generally obviating double patenting rejections. Specifically, "A rejection based on the statutory type of double patenting can be avoided by amending the conflicting claims so that they are not coextensive in scope. Where the conflicting claims are in one or more pending applications and a patent, a rejection based of statutory type double patenting can also be avoided by canceling the conflicting claims in all the pending applications..." (MPEP 804.02)

U.S.S.N. 08/126,505

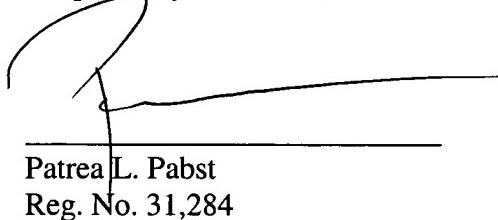
Filed: September 24, 1993

**PETITION UNDER 37 C.F.R. 1.182 TO WITHDRAW A TERMINAL DISCLAIMER**

In view of the Applicant's removal of the conflicting claim so that claims are not coextensive in scope, any need for a terminal disclaimer would be removed.

Grant of this petition is respectfully solicited.

Respectfully submitted,



Patrea L. Pabst  
Reg. No. 31,284

Date: February 5, 2004

HOLLAND & KNIGHT LLP  
One Atlantic Center, Suite 2000  
1201 West Peachtree Street  
Atlanta, Georgia 30309-3400  
(404) 817-8473  
(404) 817-8588 (Fax)

**CERTIFICATE OF MAILING 37 C.F.R. 1.8(a)**

I hereby certify that this Petition Under 37 C.F.R. §1.182 To Withdraw A Previously Filed Terminal Disclaimer, and any documents referred to as attached therein are being deposited on this date, February 5, 2004 with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Jenny Vicente  
Date: February 5, 2004

# 1602454\_v1

WU 101 CIP  
078243/00011



*image 2*

\$DAG

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	08/126,505
		Filing Date	September 24, 1993
		First Named Inventor	John P. Atkinson
		Art Unit	1647
		Examiner Name	G. Kunz
Total Number of Pages in This Submission		Attorney Docket Number	WU 101 CIP

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): <b>See remarks</b>
<input type="checkbox"/> Remarks  Petition Under 37 C.F.R. 1.182 To Withdraw A Previously Filed Terminal Disclaimer w/ Certificate of Mailing; Office Action Mailed September 16, 1991; Terminal Disclaimer filed December 13, 1996; Claims of U.S. Patent 5,545,619; Check in the amount of \$130.00		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patrea L. Pabst, Esq., Reg. No. 31,284 Suite 2000, One Atlantic Center; 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400	
Signature		
Date	February 5, 2004	

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Jenny Vicente		
Signature			Date
			February 5, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Compl t if Known

Application Number	08/126,505
Filing Date	September 24, 1993
First Named Inventor	John P. Atkinson
Examiner Name	G. Kunz
Art Unit	1647
Attorney Docket No.	WU 101 CIP

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	50-1868
Deposit Account Name	Holland & Knight LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
26	8		-34* =	X	=
			-9** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) Petition Under 37 CFR 1.182 To Withdraw A Previously Filed Terminal Disclaimer			130.00

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)

## SUBMITTED BY

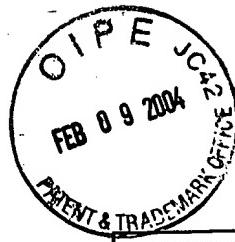
(Complete if applicable)

Name (Print/Type)	Patricia L. Pabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 817-8473
Signature			Date	February 5, 2004	

WARNING: Information in this form may become public. Credit card information should not be included in this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/126,505	09/24/93	ATKINSON	J WU101CIP

18N2/0916

PATREA L. PABST  
ARNALL GOLDEN & GREGORY  
2800 ONE ATLANTIC CENTER  
1201 WEST PEACHTREE STREET  
ATLANTA, GA 30309

REJOHN, K EXAMINER

ART UNIT PAPER NUMBER

1812  
DATE MAILED:

09/16/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

- Responsive to communication(s) filed on 6/20/96.
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

- Claim(s) 1, 3-5, 8-16, 18-20, 23-32, 34 is/are pending in the application.
- Of the above, claim(s) 1, 3-5, 10-16, 18-20, 25-32, 34 is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 8-9, 23-24 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)) 02-16-97 2MTH EOT

DOCKETED FOR: 11-16-96

BY: DTK

DATE: 9/19/96

0 RESP/FINAL REJ - 2MTH

0 12-16-96 3MTHS

0 01-16-97 1MTH EOT

0 02-16-97 2MTH EOT

Art Unit: 1812

**DETAILED ACTION**

***Information Disclosure Statement***

1. Applicant is reminded that the form 1449 filed with the IDS of 1/22/96 is incomplete in several citations. Please see Paragraph No. 4, Paper No. 18.

***Double Patenting***

2. The non-statutory double patenting rejection, whether of the obviousness-type or non-obviousness-type, is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent. *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); and *In re Goodman*, 29 USPQ2d 2010 (Fed. Cir. 1993).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(b) and (c) may be used to overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.78(d).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claim 9 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 10 of U.S. Patent No. 5,545,619. Although the conflicting claims are not identical, they are not patentably distinct from each other because they overlap; e.g. the instant claims recite changes at positions 109-112 (NAAH), 114-117...121 (STKP...Q); 116 (K); and 116-117 (KP) which are identical to particular species recited in '619.

Applicant's amendment of claim 9 removed certain of the species which overlap; however, certain other overlapping species remain. Therefore, this rejection is maintained for reasons of record.

Art Unit: 1812

***Claim Rejections - 35 USC § 112***

4. Claims 8-9 and 23-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear what the “analog of a protein” in claims 8 and 9 refers to since the analog is not clearly defined in the preamble of the claims. In addition, it is not clear whether “those complement regulating proteins wherein the carboxy terminus is removed” refers to those proteins which are recited in the claims or if it refers to other complement regulating proteins. It is suggested that the preamble of claims 8 and 9 be amended such that it is comparable to that of claim 1 of U.S. Pat. No. 5,545,619, such that it recites:

An analog of a protein [regulating complement activation having short consensus repeats of amino acid sequence] selected from the group consisting of complement receptor 1, complement receptor 2, decay accelerating factor, membrane cofactor protein, C4 binding protein, and factor H, and [those] these complement regulating proteins wherein the carboxy terminus is removed to allow the protein to be secreted, wherein the protein analog contains [a change within a] amino acid substitutions in the short consensus repeats [that] which correspond [with a change to] to amino acid substitutions in the short consensus repeats of complement receptor one [as shown in] (SEQ ID NO: 13) selected from the group consisting of.

Claims 23-24 are unclear because “the protein analog” lacks antecedent basis in the claim, and thus it is unclear whether the claimed method is directed to making the protein analog or another type of protein. It is suggested that the claims be amended to recite:

Art Unit: 1812

A method for making a protein analog [regulating complement activation having short consensus repeats of amino acid sequence] selected from the group consisting of complement receptor 1, complement receptor 2, decay accelerating factor, membrane cofactor protein, C4 binding protein, and factor H, and [those] these complement regulating proteins wherein the carboxy terminus is removed to allow the protein to be secreted, wherein the amino acid sequence of the protein analog is changed by amino acid substitutions in the [a] short consensus repeats [to] which correspond to amino acid substitutions in the short consensus repeats of complement receptor one [as shown in] (SEQ ID NO: 13) selected from the group consisting of:

***Conclusion***

5. The claims are free of the prior art of record.
6. Applicant's arguments that the remaining claims in the instant application should be examined are not persuasive because as discussed previously, in Paragraph No. 3, Paper No. 18, none of the pending, non-examined claims are generic to the examined species. However, claims drawn to the species elected in Paper No. 8, which includes complement regulatory proteins in which various SCRs are swapped between different proteins as well as truncated variants thereof, would be examined if claims presented to only those species were presented. Please see Paper No. 8 for the claims that were examined in that Office Action.
7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 1812

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

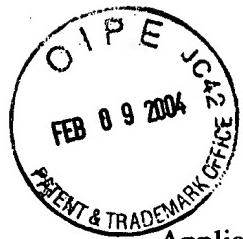
8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Karen E. Brown at (703) 308-3667, fax number (703) 308-0294. The Examiner can normally be reached Mondays through Fridays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen Walsh, can be reached at (703) 308-2957.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist at (703) 308-0196.

Karen E. Brown  
13 September 1996

*Stephen Walsh*  
STEPHEN G. WALSH  
PRIMARY EXAMINER  
GROUP 1800



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John P. Atkinson, Dennis Hourcade, and Małgorzata Krych

Serial No: 08/126,505 Art Unit: 1812

Filing date: September 24, 1993 Examiner: K.Brown

For: MODIFIED CR1 ANALOGUES

Assistant Commissioner of Patents  
Washington, D.C. 20231

TERMINAL DISCLAIMER TO OBTAIN A DOUBLE  
PATENTING REJECTION OVER A PATENT

Sir:

Washington University is the owner of the entire interest in the above-identified application as evidenced by the accompanying certificate under 37 C.F.R. § 3.73(b).

Washington University hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 5,545,619 which issued August 13, 1996. Washington University hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 5,545,619 are commonly owned. This

agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Washington University does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 5,545,619, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) is empowered to act on behalf of Washington University.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

*U.S.S.N. 08/126,505*  
*Filed September 24, 1993*  
*TERMINAL DISCLAIMER TO OBVIATE A DOUBLE*  
*PATENTING REJECTION OVER A PATENT*

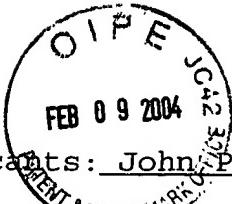
United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

WASHINGTON UNIVERSITY

By: 

Patrea L. Pabst  
Registration Number 31,283  
Attorney on behalf of Washington University

Date: December 13, 1996



## CERTIFICATE UNDER 37 CFR 3.7 (b)

Applicants: John P. Atkinson, Dennis Hourcade, and Małgorzata KrychApplication No.: 08/126,505 Filed: September 24, 1993For: Modified CR1 AnaloguesWashington University

(Name of Assignee)

a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 6870, Frame 0364, or for which a copy thereof is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplement sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : December 13, 1996Name : Patrea L. Pabst, Reg. No. 31,284Title : Attorney for ApplicantSignature : P.L.P.